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 9 Namvar, Ramin Namvar, Trifish, LLC, Tribun,
 10 LLC, Believers, LLC, Net, LLC, Light Source
 11 Management, LLC, and Woodman Partners,
 12 LLC

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17 **Attorneys for Defendants** Mousa Namvar, Magdiel, LLC
 18 DGADE of Delaware, LLC, Namco 8, LLC,
 19 Bunherst, LLC and Wishlab 90, LLC

19 UNITED STATES DISTRICT COURT
 20 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

21 In re: NAMCO CAPITAL GROUP,
 22 INC., a California corporation,
 23 Debtor.

24
 25 BRADLEY D. SHARP, solely in his
 26 capacity as Chapter 11 Trustee of
 27 NAMCO CAPITAL GROUP, INC.,
 28 Plaintiff,

Case No.: 2:11-cv-05320-GAF (CWx)
 Chapter 11
 Bankr. Case No.: 2:08-bk-32333-BR
 Adv. Proc. No.: 2:10-ap-02945-BR

**DEFENDANTS' REQUESTS FOR
 JUDICIAL NOTICE IN SUPPORT
 OF OPPOSITION TO PLAINTIFF'S
 MOTION IN LIMINE TO EXCLUDE**

1 vs.

2 MOUSA NAMVAR *et al.*,

3 Defendants.

**EVIDENCE RELATING TO
PROFESSIONAL FEES**

*[Filed with Defendants' Opposition;
Declaration of Paul Dye; and Exhibits]*

Hearing Date: October 21, 2013

Hearing Time: 9:30 a.m.

Hearing Place: Courtroom 740

Complaint Filed: October 26, 2010

Pretrial Conf.: September 23, 2013

Trial Date: October 29, 2013

REQUESTS FOR JUDICIAL NOTICE

11 Defendants Lacy 20, LLC, Hooshang "Sean" Namvar, Homayoun "Tony"
12 Namvar, Ramin Namvar, Trifish, LLC, Tribun, LLC, Believers, LLC, Net, LLC,
13 Light Source Management, LLC and Woodman Partners, LLC (collectively, the
14 "STR Defendants") joined by defendants Mousa Namvar, Magdiel, LLC, DGADE
15 of Delaware, LLC, Namco 8, LLC, Bunherst, LLC and Wishlab 90, LLC
16 (collectively, the "Mousa Defendants"), by and through their attorneys, hereby
17 jointly and respectfully request that, pursuant to Federal Rule of Evidence 201, the
18 Court take judicial notice of the following facts:

19 1. R. Todd Neilson, the trustee of the Chapter 11 bankruptcy estate of
20 Ezri Namvar in the U.S. Bankruptcy Court, Central District of California Case No.
21 2:08-bk-32349-BR, represents himself to be a Director with Berkeley Research
22 Group, LLC ("BRG"), as evidenced by his biographic profile and curriculum vitae
23 that can be found on Berkeley Research Group's own, publicly accessible website
24 at www.brg-expert.com, true and correct copies of which are attached to the
25 Exhibits in Support of Opposition to Plaintiff's Motion in Limine to Exclude
26 Evidence Relating to Professional Fees, filed concurrently with these requests, as
27 Exhibits 1 and 2, respectively.
28

1 2. Neilson represents himself to have been a Director with LECG, LLC,
2 as evidenced by his biographic profile and curriculum vitae that can be found on
3 BRG's own, publicly accessible website at www.brg-expert.com, true and correct
4 copies of which are attached to the Exhibits as Exhibits 1 and 2, respectively.

5 3. David H. Judd, Plaintiff Bradley D. Sharp's designated expert in this
6 case, represents himself to be a Director with BRG, as evidenced by his biographic
7 profile that can be found on BRG's own, publicly accessible website at www.brg-expert.com,
8 a true and correct copy of which is attached to the Exhibits as Exhibits
9 3.

10 4. Judd represents himself to have been a Director and Partner with
11 LECG, as evidenced by his biographic profile that can be found on BRG's own,
12 publicly accessible website at www.brg-expert.com, a true and correct copy of
13 which are attached to the Exhibits as Exhibits 3.

14 5. On September 12, 2011, LECG filed its fourth and final fee
15 application in both Namco Capital Group, Inc. and Ezri's bankruptcy cases,
16 seeking \$762,007.50 in fees plus \$27,160.43 in costs for the period from October
17 1, 2010 through February 28, 2011, true and correct copies of the relevant portions
18 of which are attached to the Exhibits as Exhibit 5.

19 6. LECG was previously awarded \$873,813.00 in fees plus \$6,250.66 in
20 costs for the period from March 9, 2009 through August 31, 2009, as reflected in
21 LECG's final fee application, true and correct copies of the relevant portions of
22 which are attached to the Exhibits as Exhibit 5.

23 7. LECG was previously awarded \$982,094.75 in fees plus \$3,712.59 in
24 costs for the period from September 1, 2009 through January 31, 2010, as reflected
25 in LECG's final fee application, true and correct copies of the relevant portions of
26 which are attached to the Exhibits as Exhibit 5.

1 8. LECG was previously awarded \$1,811,303.00 in fees plus \$42,508.12
2 in costs for the period from February 1, 2010 through September 30, 2010, as
3 reflected in LECG's final fee application, true and correct copies of the relevant
4 portions of which are attached to the Exhibits as Exhibit 5.

5 9. In his declaration that was attached to LECG's final fee application,
6 Plaintiff represented that he reviewed the application, and that he discussed it with
7 LECG, as reflected in Plaintiff's declaration attached to LECG's final fee
8 application, true and correct copies of the relevant portions of which are attached
9 to the Exhibits as Exhibit 5.

10 10. In September 2013, BRG, LECG's successor in both Namco and
11 Ezri's bankruptcy cases, filed its third fee application in Namco's bankruptcy case,
12 seeking \$1.8 million, of which about \$1 million is directly related to this lawsuit,
13 and \$200,000 is related to Judd's solvency analysis/expert report, true and correct
14 copies of the relevant portions of which are attached to the Exhibits as Exhibit 6.

15 11. BRG was previously awarded \$1,226,291.50 in fees plus \$1,965.99 in
16 costs for the period from March 1, 2011 through August 31, 2011, as reflected in
17 BRG's third fee application, true and correct copies of the relevant portions of
18 which are attached to the Exhibits as Exhibit 6.

19 12. BRG was previously awarded \$1,708,012.25 in fees plus \$7,249.83 in
20 costs for the period from September 1, 2011 through August 31, 2012, as reflected
21 in BRG's third fee application, true and correct copies of the relevant portions of
22 which are attached to the Exhibits as Exhibit 6.

23 13. In his declaration that was attached to BRG's third fee application,
24 Plaintiff represented that he reviewed the application, and that he discussed it with
25 BRG, as reflected in Plaintiff's declaration attached to BRG's third fee application,
26 true and correct copies of the relevant portions of which are attached to the
27 Exhibits as Exhibit 6.
28

1 14. Plaintiff Bradley D. Sharp represents himself to be a Senior Vice
 2 President with Development Specialists, Inc. ("DSI"), as evidenced by his
 3 biographic profile that can be found on DSI's own, publicly accessible website at
 4 www.dsi.biz, a true and correct copy of which is attached to the Exhibits as Exhibit
 5 7.

6 15. On September 24, 2012, DSI filed its third fee application in Namco's
 7 bankruptcy case, seeking \$622,661.50 in fees plus \$220.64 in costs for the August
 8 1, 2011 through August 31, 2012 period, true and correct copies of the relevant
 9 portions of which are attached to the Exhibits as Exhibit 8.

10 16. DSI was previously awarded \$1,558,710.45 for the periods covered by
 11 its first and second fee applications, as reflected in DSI's third fee application, true
 12 and correct copies of the relevant portions of which are attached to the Exhibits as
 13 Exhibit 8.

14 17. In his declaration that was attached to DSI's third fee application,
 15 Plaintiff represented that he reviewed the application, and that he discussed it with
 16 DSI, as reflected in Plaintiff's declaration attached to DSI's third fee application,
 17 true and correct copies of the relevant portions of which are attached to the
 18 Exhibits as Exhibit 8.

19 18. On September 21, 2012, Plaintiff filed his Notice of Hearing on
 20 Applications of Chapter 11 Trustees and Professionals for Approval and Payment
 21 of Interim Compensation and Reimbursement of Expenses in Namco's bankruptcy
 22 case, which, *inter alia*, (1) requested approval of \$707,390.05 compensation for
 23 Plaintiff, for the period from August 1, 2011 through August 31, 2012, (2)
 24 \$2,544,489.09 compensation for Plaintiff's counsel, Pachulski Stang Ziehl & Jones
 25 LLP, for the period from August 1, 2011 through July 31, 2012, (3) \$709,546.31
 26 compensation for Neilson, for the period from August 1, 2011 through August 31,
 27 2012, and (4) noted that as of September 21, 2012, Plaintiff, Neilson, and their
 28

1 colleagues have accrued \$14.4 million in fees and costs, a true and correct copy of
2 which is attached to the Exhibits as Exhibit 12.

3
4 DATED: September 30, 2013

SALTZBURG, RAY & BERGMAN, LLP

5
6 By: /s/ Paul T. Dye

7 Paul T. Dye

8 Attorneys for Defendants
9 Lacy 20, LLC, Hooshang Namvar,
10 Homayoun Namvar, Ramin Namvar,
11 Trifish, LLC, Tribun, LLC, Believers, LLC,
12 Net, LLC, Light Source Management, LLC,
13 and Woodman Partners, LLC

14 DATED: September 30, 2013

**GREEN GLUSKER FIELDS CLAMAN
& MACTINGER LLP**

15
16 By: /s/ Bernard M. Resser

17 Bernard M. Resser

18 Attorneys for Defendants
19 Mousa Namvar, Magdiel, LLC
20 DGADE of Delaware, LLC, Namco 8, LLC,
21 Bunherst, LLC and Wishlab 90, LLC
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12121 Wilshire Boulevard, Suite 600
Los Angeles, California 90025-1166

PROOF OF SERVICE

Case No. 2:11-cv-05320-GAF (CWx)

STATE OF CALIFORNIA)

) ss.

COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 12121 Wilshire Boulevard, Suite 600, Los Angeles, California 90025.

On September 30, 2013, I caused the foregoing document(s) described as **DEFENDANTS' REQUESTS FOR JUDICIAL NOTICE IN SUPPORT OF OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE EVIDENCE RELATING TO PROFESSIONAL FEES** to be served on the interested parties in this action as follows:

*PLEASE SEE THE ATTACHED SERVICE LIST***X VIA COURT'S NOTICE OF ELECTRONIC FILING**

Pursuant to L.R. 5-3 and 5-4, following ordinary business practices, I electronically filed the foregoing document(s) with the Clerk of the Court by using the Court's automated CM/ECF system. I checked the CM/ECF docket for this case and determined that the person(s) indicated above are registered as CM/ECF Users who have consented to electronic service through the Notice of Electronic Filing transmission sent to the e-mail address(es) listed above.

X VIA PERSONAL DELIVERY

In accordance with L.R. 5-4.5, the "mandatory chambers copy" of the foregoing document(s) will be delivered to:

The Honorable Gary A. Fees
U.S. District Court, Central District of California – Western Division
Edward R. Roybal Federal Building and United States Courthouse
255 E. Temple Street, Room 730
Los Angeles, CA 90012-3332
(Placed in the courtesy copy box outside the entry door to chambers)

X FEDERAL

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on September 30, 2013, at Los Angeles, California.

/s/ Aaron Rosenberg
Aaron Rosenberg

SERVICE LIST

Case No. 2:11-cv-05320-GAF (CWx)

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